



## Point No Point Treaty Council

Port Gamble S'Klallam • Lower Elwha S'Klallam • Jamestown S'Klallam • Skokomish

S475

**TO:** Survey and Manage SEIS Content Analysis Enterprise Team  
Attn: USDA Forest Service – CAET  
P.O. Box 221090  
Salt Lake City, UT 84122

**CAET RECEIVED**

FEB 25 2000

**FROM:** Sally Nickelson,  
Wildlife Program Coordinator  
Point No Point Treaty Council – representing the Skokomish, Port Gamble  
S'Klallam, Jamestown S'Klallam and Elwha S'Klallam Tribes

**DATE:** February 22, 2000

**RE:** Comments on the Draft SEIS for Amendment to the survey and damage,  
protection buffer and other mitigation measures standards and guidelines.

Thank you for the opportunity to comment on the draft SEIS. I represent the Point No Point Treaty Tribes on the Olympic Peninsula in Washington State, which consist of the Skokomish, Port Gamble S'Klallam, Jamestown S'Klallam and Elwha S'Klallam Tribes. The Forest Service ownership on the Olympic Peninsula is within the ceded or traditional use areas for these four tribes, and they have treaty-secured hunting and gathering rights on these lands.

We agree that it is prudent to amend portions of the NW Forest Plan to improve efficiency and consistency in applying mitigation measures. It makes sense to consolidate Protection Buffer and Protect From Grazing measures within Survey and Manage to eliminate redundancies and conflicts. We also support defining a process for adding and deleting species. The Plan needs some flexibility to deal with new information, changes in populations and unforeseen circumstances.

The Tribes want to ensure that all native species are adequately protected in perpetuity. Hundreds of species of plants were traditionally gathered for food, medicine or ceremonial purposes, and most animal species were hunted. On the Olympic Peninsula, federal ownership contains virtually the only remaining old growth habitat. As a result, we are concerned that Alternatives 1&2 would increase the amount of late-successional forest available for harvest. While we understand that much of the analysis for species persistence was done on a broad spatial scale, tribal needs usually occur at the local scale. Locally occurring species can have great cultural significance. Allowing local extirpation of species as long as the populations persist in other areas may not be acceptable to the tribes. Unfortunately, analysis on a forest level was not done in the SEIS, so we could not evaluate the effect that the alternatives might have on the Point No Point Tribes' local treaty resources.

Under all three action alternatives, management recommendations will be written before local sites may be afforded less protection than currently offered. Once they are written, under all action Alternatives, some sites may no longer require protection as long as the species would

persist at a larger scale. Our tribes propose that the federal agencies commit to notifying local tribes when such proposals to no longer protect local sites are made. If the species are of cultural importance to the local tribe and the tribe objects to the loss of specific protection, the agencies would then commit to continuing the local site protection.

We believe that Alternative 2 entails far too much risk to numerous species, and thus treaty resources, and do not support this alternative. We urge the agencies not to consider this alternative.

CAET RECEIVED

Because Alternative #1 is the preferred alternative, below are comments specific to it. FEB. 25, 2000

#### *Snags*

The proposal in Alternative 1 (pp.48) that snags over 20 inches dbh should only be retained in numbers sufficient to meet 100% of potential population levels of the four woodpecker species, rather than retaining all large snags, is of concern. The number of snags needed to provide 100% of population needs is based on a model developed prior to 1985 and uses several assumptions. If the model is incorrect and lists lower numbers of snags than are actually required, the risk to the species will be too high. The tribes support the more conservative current approach of retaining all large snags.

#### *Bats*

We agree with the portion of the proposed changes in the standard and guideline for additional protection for bats that would not require disturbance of the bats. However, the proposed language, while mandating protection of occupied sites, does not specifically require surveys of all potential sites. Is it assumed that all surveys of potential sites have already been completed?

#### *Adaptive Management*

Treaty tribes have the right and responsibility to co-manage natural resources along with the federal and state governments. In light of this management responsibility, our tribes believe that tribal representatives should be present on the interagency group that evaluates new information and determines whether species should be added or deleted from the survey/manage list.

#### *Great Gray Owls*

We are concerned that, while Alternative 1 does require continued protection around all owl nests until management recommendations are developed, in the future protection for some sites could be lessened or withdrawn. With only 72 sites currently identified, this species may continue to be at risk. We propose that minimum standards be delineated, and it be stated that all current and future owl sites will be protected.

#### *Del Norte's Salamander*

The rationale behind assigning Del Norte's salamander to category 1D rather than 1C is unclear. No justification is given for discontinuing pre-disturbance surveys. Because this species has high site fidelity, low dispersal, narrow habitat requirements, and patchy distribution, its ability to recolonize areas once extirpated is likely low. As such, it is important to detect and protect all occupied sites. We recommend assigning this species to 1C and continuing pre-disturbance

surveys so all known sites can be managed until high priority sites are identified and management recommendations developed and approved.

*Northern Spotted Owl*

We are concerned, that while the owl population decline has slowed, it continues to decline, in spite of drastically reduced habitat decline. In particular, the population on the Olympic Peninsula continues to decline at a significant rate, though old growth harvest on federal land has been virtually non-existent since the adoption of the Forest Plan. As a result, we wonder whether the original analysis is adequate for the Olympic Peninsula. If any old growth harvest on matrix land on the Olympic Peninsula would be allowed under the new survey and manage guidelines, consideration should be considered given to delaying the harvest until the owl populations here have stabilized.

*Late-Successional Mammals*

We question the statement that small habitat patches provide little contribution to wide-ranging species such as elk. Our research on the Olympic Peninsula has shown that small old growth patches within a matrix of younger stands provide very important and heavily used habitat for elk. Elk are a culturally vital species for the tribes, and it is imperative for tribes that local herds are maintained in perpetuity. The loss of protection of 12,000 acres of late-successional habitat could contribute to a decline in local populations, not only of elk, but other culturally important species. In addition, some of these old growth patches may occur in areas of spiritual significance, and the maintenance of old growth is important to current spiritual practices. As stated above, we propose that federal agencies commit to notifying local tribes when proposals to harvest local sites are made, and if the tribe objects, the agencies would then commit to continuing the local site protection.

CAET RECEIVED

FEB 25 2000